

In the last 6 or 8 years, every time there was a hiccup there would be a Senate investigation or a congressional investigation and we would hire special counsel and lawyers and have people under oath. Here is an example of what we ought to be investigating as well.

How about getting to the bottom of this issue. The U.S. taxpayers are being overcharged \$200 million, perhaps, for hauling gasoline into Iraq by a company that is charging \$1 more than anybody else is charging for hauling the same gasoline into Iraq. How about some accountability for the American taxpayer. After all, this money comes from the American taxpayer. Overcharging, kickbacks, cronyism, preferential contracts, nonbid contracts—this demands, this begs for an investigation. This Congress has a responsibility to do it.

I suppose the administration, this Congress, and the majority party can ignore this for another week or another month. This is not going to go away. Kickbacks, overcharges—this isn't going to go away. The fact is this company just got a new contract. This is a slap on the wrist, a pat on the back. That is what this is all about. Let us have an investigation to find out who is doing this. Let us suspend those contracts right now. If we have work to do, if we have fuel to haul, if we have supplies to buy, if we have projects to finish, let us get contractors to do that. Let us have contracts to haul that fuel and to provide those supplies so that we are not going to have to wonder whether there are kickbacks or overcharges or fraud.

I am sick and tired of reading this in the papers and seeing inaction in this Congress—none. Week after week after week we have read about Halliburton and its subsidiary. It is not just us. The auditors in the Department of Defense think the taxpayers have been bilked—not by a thousand dollars or a couple hundred thousand dollars, but by tens and tens and tens of millions of dollars. Auditors in the Department of Defense believe that and are asking these questions. Yet this place looks as if it is at parade rest; won't move a muscle.

There needs to be an investigation by the committees and the leadership of this Senate. My colleague, Senator DASCHLE, described that obligation this morning. There needs to be an investigation. I hope this will happen soon.

It was my great concern, as I expressed when the Congress passed nearly \$20 billion for reconstruction in Iraq, that this was throwing money up in the air in a way that called for a carnival of greed. It looks like hogs in the cornfield. You have all of this money—billions and billions of dollars for the reconstruction of Iraq—and you have contractors running around trying to grab some of it. This contractor was one of the first with no-bid contracts, now we see these allegations—and they have been going on for months—about overcharges. Now we see allegations of kickbacks.

The taxpayers deserve better than that. The taxpayers deserve accountability. This money is not some money that vanishes somewhere. This is money that comes from the pockets of the American taxpayers. We tax the taxpayers to get their money, and then this money is spent for the reconstruction of Iraq—a country, incidentally, which we did not destroy. We are reconstructing facilities that we did not damage, such as roads, bridges, the electric grid, and dams. We didn't target them. We didn't destroy them. Now we are told that we must reconstruct them with American taxpayers' money—a position that I voted against, a position that I think is absurd—in a country with the second largest reserves in the world, Iraq, next only to Saudi Arabia, which ought to be able, in my judgment, to sell the oil that it produces to reconstruct itself.

For that country to rely, as the President insists it must, on American taxpayers' funds for reconstruction is absurd. But, nonetheless, that is what happened. The majority of this Congress decided they wanted to spend nearly \$20 billion of American taxpayers' money to do that. Now we see at least part of the result of it, and there will be more. But the signal this Congress ought to send is one of accountability and demanding through public hearings and a thorough investigation. Can we not be as aggressive as the auditors in the Defense Department? Can we not at least express the same concern that auditors in the Defense Department express about the potential of our being bilked out of hundreds of millions of dollars? That is the least the American taxpayer should expect from this Congress.

I think this Congress has not heard the last of this. I and others will be on this floor attempting to demand investigative hearings. The taxpayers, in my judgment, deserve hearings on these subjects.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### PENSIONS

Mr. KENNEDY. Mr. President, it is Friday. We had a good discussion yesterday about this very important pension funding amendment which is presented to the Senate by the chairman of the Finance Committee, Senator GRASSLEY, and the ranking member, Senator BAUCUS; they have shared jurisdiction on a number of pension matters with our committee, the Health, Education, Labor, and Pensions Committee, chaired by Senator GREGG and I as the ranking minority member.

The two committees have worked very closely in recommending this legislation. I am very grateful to all and to Leader FRIST for giving this a priority standing. By the early part of next week, the first part of the week, we will have final action. This will move very rapidly through the House of Representatives because it is of such importance to employers and employees. It is a temporary measure to meet the certain challenges of our time.

To review again very briefly, the defined benefit pension plans are a key part of the retirement security of Americans. Americans have sort of a three-legged stool for retirement. They have Social Security, they have their savings, and they have their pension.

While Social Security is certainly secure, there has been certainly a draw-down on the Social Security assets as a result of the excessive tax reductions of this administration. It is certainly secure at the present time.

We have also seen that many who put savings in 401(k)s, with the slide of the market in a number of instances, have had their savings significantly reduced. Because of a combination of different events that have taken place in the economy, there is a real question about whether the pensions are going to be there for many of America's industries, the pension programs which have been supported both by their employer and the employee, paid into by workers with the guarantee that their pension would be there, would be available for them in the future. In many instances, they are threatened.

This legislation is to provide breathing room into the current system to permit the system to get back on its feet and to be working again. We will take action and do it quickly.

The defined benefit pension plans are a key part of retirement security for millions of Americans; they are promised a monthly benefit starting at retirement and continuing through their life. The combined plans are different from other pension plans. Only a defined benefit plan provides benefits backed by the Pension Benefit Guaranty Corporation. Workers rely on the guarantees to help in old age to pay for health benefits, needed medical care, college, education, and for their homes.

This chart is an indication of how this whole program is established. There are nearly 35 million Americans covered by single employer defined benefit pension plans. And 9.7 million Americans are covered by multiemployer benefit plans. For example, in the construction industry—where workers move from one site to the other site—the process has been worked out through the employers, which is supported both by the employers and the workers, which gives a multiemployer benefit. But these are obviously workers who work hard, play by the rules, and have a similar kind of interest as the other 35 million. It is only the defined benefit plan that provides a secure monthly benefit backed by the Pension Benefit Guaranty Corporation.

Why this legislation is necessary is because of what has been referred to earlier in the discussion and debate about a series of different economic conditions that are threatening the defined benefit pension plan. We call it a "perfect storm" of factors that is hurting the defined benefit pension plan funding levels.

We have had a prolonged downturn of the stock market during the last 3 years, the longest decline since the Great Depression. Then we have had extremely low 30-year Treasury bond interest rates. That may be good for those who are buying a new car or attempting to buy a new house, but if we are looking at how the pension plans were established and tie into the 30-year bond interest rates, we would see this factor, the decline of the stock market, the low interest rates and the general weak economic conditions, which mean that companies cannot afford to make additional payments and pay excise taxes imposed by our pension laws. These three elements combined have put the pension system generally, for some almost 45 million Americans, in serious jeopardy.

We have come up with a bipartisan program. It is temporary, over a 2-year period, which we believe can offer the relief to permit the programs to come back and survive.

Late yesterday afternoon, my friend from Arizona, Senator KYL, offered amendment No. 2234. Senator KYL called this a "hold harmless" amendment for the Pension Benefit Guaranty Corporation. That description is misleading because this amendment is anything but harmless. In fact, it harms the workers who can lose pension benefits as a result of this amendment.

The PBGC's mission is to preserve and protect the defined benefit of American workers. By paying premiums into the PBGC, companies and their workers are buying security. They are buying a secure guarantee, that if for some reason a company can no longer provide the promised benefit, workers receive a pension from the PBGC. This amendment undermines that security and strikes at the heart of the mission by taking away pensions that workers have earned. It would replace guarantees with broken promises.

My colleague expressed concern that if the pension plans fail, it would hurt workers. The irony is his amendment would make those workers in failed plans even worse off than they are under current law. It would make workers pay the price for financial relief that companies are receiving. The companies receive the relief; the workers would pay the penalty.

Our amendment explicitly applies to airline and steel companies. Employees in those industries have already made many sacrifices to keep their companies and pension plans afloat. We should not penalize them by taking away pension benefits they have earned.

Finally, I am well aware of the need to preserve the PBGC's financial integrity. I know my colleagues on both sides of the aisle share my concern. None of us wants to put the Nation's pension system at risk. That is why our substitute amendment targets the DRC relief to where we think it is both needed and justified. Only companies that had well-funded—well-funded—pension plans in 2000 would be provided with that relief. We exclude poorly funded plans where relief would simply expose the PBGC to increased deficits.

So PBGC deficits will not be solved by taking benefits away from workers. Rather, we must seek to stabilize and expand our defined benefit pension system.

As I say, this proposal and compromise has been carefully structured and carefully drafted to try to meet very special needs, and it is intended to do so. I believe the Kyl amendment would undermine that fundamental concept.

The results of this "perfect storm" have not only had an enormously adverse impact and effect on the pension system but they are having a real adverse impact on the lives of many of our fellow Americans. I think it is important that we in this Chamber begin to understand this. The stock market may be going up with the profits, but what is happening out on Main Street should be the concern of every one of us in this body.

#### SUPPORTING AMERICAN WORKERS

Mr. KENNEDY. Mr. President, I am going to mention a series of events, many of which have just taken place in the last day or two, which either were published reports, news reports, or television reports that indicate another side of America than is the America being described with rose-tinted glasses.

First of all, today there are some 13 million children who are going hungry. Eight million Americans are unemployed. Eight million workers lose overtime under the Bush proposal. We have had debates and discussions on this issue. We are going to come back to it very soon, at the first opportunity, hopefully even as soon as next week. Seven million low-wage workers have been waiting 7 years for an increase in the minimum wage. I will come back to this issue. And 3 million more Americans are living in poverty since President Bush took office.

The final point I make is that 90,000 workers a week are losing their unemployment benefits—90,000 workers a week. We have the unemployment compensation fund which is funded at close to \$20 billion. We have tried to get a temporary extension for some 13 weeks. It has been objected to now more than a dozen times by those on the other side of the aisle. It costs about \$7 billion. Nearly twenty billion dollars are there.

These workers are paying into the fund. We are talking about workers

who have worked hard, paid into the fund, and the fund is out there and meant to assist the workers during an economic downturn. These workers should not be blamed for the economic downturn, and they are being blamed by denying them the extension on the unemployment insurance. As I say, 90,000 workers a week are losing their unemployment benefits.

I will mention one other chart that helps illustrate what I mean when I talk about 13 million children who are going hungry every night. Hunger is increasing for the minimum-wage families. The Agriculture Department reported 300,000 more families are hungry today than when President Bush first took office—300,000 more. Twelve million American households are worried they will not have enough to eat. And nearly 4 million American households have someone going hungry.

This is in a country that can produce more agricultural products than any other country in the world, by far. We spend billions of dollars on land to ensure it is not going to be productive. We know how to do two things, if nothing else, in this Nation: We know how to grow food, and we know how to deliver it. We have the greatest agricultural lands in the world. We have effectively a Federal express. They can deliver products overnight. We know how to deliver it. We do not have to feed everyone by Federal express, but we sure know how to get food or get any product to people's homes or to the needy people. I believe hunger in America is a national disgrace. So this is a matter of very considerable concern.

Last evening, when I returned home at a little after 6 o'clock, I turned on CNN and I was caught by a piece they did reporting on "Overwhelmed America." The broadcaster said: "Tonight, the overwhelmed American worker." This is the report on the study called "Overwhelmed America."

Wages are stagnant, productivity is soaring, which means many Americans are effectively working more for less. And making matters even worse, millions of American workers now find themselves competing with cheaper foreign labor just to hold on to their jobs.

Then it went on to Kate Bronfenbrenner, professor at Cornell University:

The workers there are frightened because they wake up each morning and they don't know whether their job is going to be outsourced, downsized, contracted out, or eliminated.

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They are overwhelmed because they feel like forces way beyond their control are making the decisions that affect their lives. And they are exhausted because they are working harder, longer, and faster just to stand still. Americans are scared of losing their jobs. They are working longer, harder, and they still don't have job security.

I will include the whole piece. It is a short piece, but I will read another sector:

In growing numbers workers are feeling overworked, underappreciated, and burned